

To: clakewood@biologicaldiversity.org[clakewood@biologicaldiversity.org]
Cc: Engelman, Alexa[ENGELMAN.ALEXA@EPA.GOV]; Albright, David[Albright.David@epa.gov]; Moore, Linda[Moore.Linda@epa.gov]; Johnson, Ivry[Johnson.Ivry@epa.gov]
From: Dermer, Michele
Sent: Mon 3/23/2015 8:11:56 PM
Subject: FOIA EPA-R9-2015-005059 Exempted Aquifers in California

Dear Clare,

I am writing to you regarding our conversation today about the above FOIA request.

With regard to your request:

Item 1: The list of formations included with EPA's (Jared Blumenfeld) July 17, 2014 letter to Secretaries Laird and Rodriguez contains the most recent list of disposal aquifers exempted. While we spoke you were able to retrieve this letter from the DOGGR website; this item is closed.

Item 2(a): The December 13, 1985 EPA memo is also on the DOGGR website; this item is closed.

Item 2(b): The May 17, 1985 memo is also on the DOGGR website; this item is closed.

Item 3a:

Since Class II primacy was granted to DOGGR in 1982, EPA approved three aquifer exemption packages submitted for formations in the San Ardo, McCool Ranch and Asphalto fields. These packages will be produced for this FOIA.

Item 3b:

Additional documents may be retrievable in our files such as emails, etc. regarding the review and approval of these three packages. An extensive search of at least two email databases will be required to produce any documents related to these approved packages. If you wish us to undertake this search, we will do so and provide you with an estimate of the amount of time it will take to complete the search and conduct the privilege review. Please advise if you wish to have EPA conduct this search.

Item 3c:

In the 33 years since Class II primacy was granted, some number of possible aquifer exemptions were discussed with the State. At the present time we do not know how many of these discussions/formations there were, but only the three listed above were approved. If you wish us to conduct a search of all discussions in the last 33 years regarding possible aquifer exemptions please advise and we can prepare an estimate of the amount of time this will require.

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Our FOIA officer, Ivry Johnson is handling your request for fee waiver and will advise.

Please review the summary of our discussion and confirm your agreement under Items 1, 2a and 2b and 3a. Please provide specific written direction for your request regarding Items 3b and 3c. Thank you.

Sincerely,

Michele

Michele Dermer

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